

**YOLANDA FORD**  
Mayor

**VASHAUNDRA EDWARDS**  
Councilmember at Large Position No. 1

**CHRIS PRESTON**  
Mayor Pro Tem  
Councilmember at Large Position No. 2



**CHERYL STERLING**  
Councilmember District A  
**JEFFREY L. BONEY**  
Councilmember District B  
**ANTHONY G. MAROULIS**  
Councilmember District C  
**FLOYD EMERY**  
Councilmember District D

## CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Monday, March 2, 2020**, at the City Hall, Council Chamber, 2<sup>nd</sup> Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 p.m.** to consider the following:

### 1. ROLL CALL

Mayor Ford called the meeting to order at 7:00 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Sterling, Boney, Maroulis, and Emery; Interim City Manager Atkinson, City Attorney Iyamu, and City Secretary Jackson.

2. The **PLEDGE OF ALLEGIANCE** was led by the Thurgood Marshall High School Air Force Junior Reserve Officer Training Corps.

### 3. PRESENTATIONS AND RECOGNITIONS

Mayor Ford and Police Chief Berezin presented Jennifer Nava with a Chief of Police Commendation.

### 4. PUBLIC COMMENTS

**Angie Young**, 2107 Silver Leaf Dr., asked that the City as a whole pull and work together.

**Jerry Wyatt**, 4018 S. Sandy Court, spoke about concerns with the Director of Communications telling the newspaper what to write, which was a violation of freedom of speech. Wyatt also noted he placed a complaint on Mayor Ford for an unreported contribution.

**Bruce Zabrowoski**, 7915 Chancel, spoke in support of Mayor Ford, Mayor Pro Tem Preston and Councilmembers Edwards and Sterling.

**Felicia Ojigbo**, 1418 New Tree Lane, spoke about water system concerns.

**Mary Ross**, 2507 Shadow Oaks Drive, spoke about concerns in regards to the division on City Council.

**Kevin Turini**, 5019 Southhampton Road, expressed concerned with inaction of city government to enforce Sec. 10-6, Limitation on number of dogs and cats, of the City municipal code in the past 82 days.

**Trish Yurcak**, 1411 Cherry Creek Court, thanked Councilmembers Boney and Maroulis for their social media updates which assisted with keeping residents informed. Yurcak also expressed a lack of response from Mayor Ford when she was heading the Mayor's Youth Commission of Missouri City.

There were no **STAFF REPORTS**.

### 6. CONSENT AGENDA

- (a) Consider approving the minutes of the special City Council meeting of February 10, 2020, the special and regular City Council meetings of February 17, 2020, and the special City Council meeting of February 24, 2020.
- (b) Consider an ordinance assessing City of Missouri City Public Improvement District No. 2, Lake Shore Harbour, Section 5; and consider the ordinance on the second and final reading.
- (c) Consider an ordinance approving the third updated and restated service and assessment plan for City of Missouri City Public Improvement District No. Two and consider the ordinance on the second and final reading.
- (d) Consider an ordinance approving the first updated and restated service and assessment plan for City of Missouri City Public Improvement District No. Four and consider the ordinance on the second and final reading.
- (e) Consider authorizing the assignment of a contractual agreement for water and wastewater treatment chemicals.
- (f) Consider authorizing the purchase of traffic operation supplies.

Councilmember Boney moved to approve the Consent Agenda pursuant to recommendations by City Staff. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

## 7. PUBLIC HEARINGS AND RELATED ACTIONS

### (a) Zoning Public Hearings and Ordinances

- (1) Public hearing to receive comments for or against an ordinance amending Section 18, Board of Adjustment, of Appendix A of the Missouri City Code, entitled, "The City of Missouri City Zoning Ordinance;" amending rules and regulations for powers and the hearing of appeals; providing a penalty; and consider the ordinance on the first of two readings.

Director of Development Services Spriggs presented on the City's zoning ordinance and stated the Planning and Zoning Commission conducted public hearings on January 8, 2020 and February 12, 2020.

He noted the proposed ordinance provided amendments to Section 18, Board of Adjustment as follows:

- (1) requires the City Council to approve rules adopted by the board of adjustment;
- (2) allows the following persons to appeal to the board of adjustment a decision made by an administrative official that was not related to a specific application, address, or project:
  - (a) a person aggrieved by the decision; or
  - (b) an officer, department, board, or bureau of the City affected by the decision;
- (3) allows the following persons to appeal to the board of adjustment a decision by an administrative official that was related to a specific application, address, or project:
  - (a) a person who files an application that was the subject of the decision;
  - (b) a person who was the owner of property or representative of the owner that was the subject of the decision;
  - (c) a person who was aggrieved by the decision and was the owner of real property within 200 feet of the property that was the subject of the decision; or
  - (d) any officer, department, board, or bureau of the city affected by the decision;
- (4) requires that a decision made by an administrative official be appealed to the board of adjustment not later than the 20th day after the date the decision was made; and
- (5) requires the board of adjustment to decide an appeal described in (4) at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed. (Effective September 1, 2019).

Spriggs noted the changes would also be placed in the bylaws of the board.

Councilmember Emery moved to open the public hearing at 7:28 p.m. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Maroulis asked if they had spoken to the Zoning Board of Adjustments and Appeals. Director Spriggs explained this change was ordained by law and necessary. He also stated the board had not met since the bill became effective.

Councilmember Emery moved to close the public hearing at 7:29 p.m. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Boney moved to approve the ordinance. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

- (2) Consider an ordinance on the first of two readings for a request for a specific use permit authorizing the use of a 14.984 acre tract of land zoned as LC-1 local retail restricted district and R-3 two-family residential district to allow for the development of a worship center; describing said 14.984 acre tract of land; providing limitations, restrictions, and conditions on such specific use; amending the zoning district map of the City of Missouri City; providing a penalty; containing other provisions relating to the subject. The subject site is located north of East Hampton Circle, south of the Fondren Park subdivision, east of Kathy Avenue, and west of Fondren Road.

Planning Manager Gomez stated the item was presented to City Council last year. She stated Mr. Asomugha, on behalf of Miracle City Church, was proposing to locate an approximate 20,000 square foot worship center, a 16,000 square foot multi-purpose media building and recreational areas.

The development was proposed in two phases summarized as follows:

Phase 1: Media/multi-purpose building with a maximum occupancy of 500 people to be completed/constructed in 18 months; and,

Phase 2: Worship center with a maximum occupancy of 1,000 people to be constructed 5 years after Phase 1 was completed.

Staff recommended approval of the SUP with conditions. The Planning and Zoning Commission held a public hearing on July 10, 2019 and forward a positive recommendation to include staff's recommendations; provide for the building square feet as shown on the conceptual site plan; to relocate the trash enclosure area away from the residential areas; to landscape the area surrounding any proposed detention; and, to provide mitigation for noises including the provision of solid screening.

Mayor Ford requested a motion.

#### **AGENDA ITEM 7A2 DIED DUE TO LACK OF MOTION.**

**Kent Atinonu**, 15255 Gray Ridge, was not present.

**Edward Trusclair**, 11847 S. Perry Ave, spoke about debris and gunfire behind his home, which was why he spoke in favor of the proposed request.

**Crispin Reyes**, 9815 Cameron Way, designated his time to Edward Trusclair.

**Vickie Bunch**, 11847 S. Perry Ave, spoke in favor of the proposed request.

**Fran Harlow** asked if they would have to do this each time since there was no motion. Harlow spoke against the proposed request.

**Carla Menard**, 15422 Poolview Street, designated time to Jeanette Quimby.

**Bob Paisley**, 11743 N. Marianne Circle, spoke against the proposed request.

**Karl Guetzon**, 11822 S. Willow Circle, spoke against the proposed request.

**Michael Rowan**, 11806 S. Marianne Circle, designated time to Jeanette Quimby.

Interim City Manager Atkinson stepped away at 7:56 p.m. and returned at 7:58 p.m.

**Deb Freilich**, 15210 E. Hampton Circle, spoke against the proposed request.

**Howard Reynolds**, 15342 E. Hutchinson Circle, spoke against the proposed request.

**Jeremiah Asomugha**, Pastor of Miracle City Church, choose not to speak.

**Bruce Zabrowoski**, 7915 Chancel, spoke against the proposed request.

**Denetra Asomugha**, Pastor of Miracle City Church, choose not to speak.

**Diana Reyes**, Pastor of Miracle City Church, choose not to speak.

**Azyka Asomugha**, Associate Pastor of Miracle City Church, choose not to speak

**Ramon Alfred**, Member Leader of Miracle City Church, choose not to speak.

**Bobbie Degrade**, 11735 N. Marcia Circle, spoke in support of the proposed request.

**Steven Ryau**, Member Leader of Miracle City Church, choose not to speak.

**Nkamdi Ohalete**, Engineer of Miracle City Church, choose not to speak.

**Michael Bobby**, Leadership Team Member of Miracle City Church, choose not to speak.

**Terrie Jackson**, Elder of Miracle City Church, chose not to speak.

**Karen Siriwa**, Pastor of Miracle City Church, choose not to speak.

**Joseph Nixon**, Attorney of Miracle City Church, asked what they could do to help the residents.

**Kevin Pever**, 11839 S. Perry Avenue, spoke against the proposed request.

**Penelope Hazlewood**, 11819 S. Marianne Circle, designated time to Jeanette Quimby.

**Penelope Jank**, 11731 N. Nottingham Circle, designated time to Jeanette Quimby.

**Nell Burks**, 11822 S. Willowdale Circle, designated time to Jeanette Quimby.

**Erick Smith**, 11838 S. Marianne, designated time to Jeanette Quimby.

**Sheryl Orloff**, 11802 S. Perry Avenue, designated time to Jeanette Quimby.

**Betsy Elenbaas**, 11803 S. Kathy Avenue, designated time to Jeanette Quimby.

**Jeannette Quimby**, 11814 S. Willowdale Circle, was allowed to speak for 27 minutes and addressed several concerns addressed by the residents of Fondren Park; and, spoke against the request.

There were no **Public Hearings and related actions or Appointments** on this agenda.

## **9. AUTHORIZATIONS**

- (a) Consider awarding Package 1 construction contract for the Mustang Bayou Wastewater Treatment Plant Expansion.

Director of Public Works Kumar recommended that City Council authorize the amendment of the current C-MAR contract with Boyer Inc. via a change order (No. 1) to include Early Work Package (EWP). He noted the Guaranteed Maximum Price (GMP) for EWP was \$1,816,974.75 and the total contract price was \$2,026,974.75.

Councilmember Boney moved to authorize the Package 1 construction contract for the Mustang Bayou Wastewater Treatment Plant Expansion. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider awarding agreements for utility services financial consultants.

Director Kumar recommended that City Council authorize the Interim City Manager to enter into Professional Service Agreements with the two firms to assist the City's Utility Division with specialized financial services, on an as needed basis.

Councilmember Emery moved to award agreements for utility services financial consultants. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider awarding agreements for utility services engineering consultants.

Councilmember Boney moved to award agreements for utility services engineering consultants. Mayor Pro Tem Preston seconded. **MOTION PASSED UNANIMOUSLY.**

## **10. ORDINANCES**

- (a) Consider an ordinance amending Chapter 34, Finance and Taxation, of the Missouri City Code; authorizing form of payment; providing for return check fees; providing for credit card service fees; providing for the deposit of fees or charge into the general fund of the City; providing for a repeal and providing for severability; and consider the ordinance on the first of two readings.

Councilmember Maroulis moved to adopt the ordinance. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

## **11. RESOLUTIONS**

- (a) Consider a resolution declaring the City's intention to reimburse the cost of certain expenditures from the proceeds of certificates of obligation to be issued for the construction of public works and a fire truck and any items related thereto.

Councilmember Boney moved to approve the resolution. Councilmember Sterling seconded. **MOTION PASSED UNANIMOUSLY.**

- (b) Consider a resolution identifying certain officials within authority to open and maintain a city account or accounts with Wells Fargo Bank, National Association; providing for repeal; and containing other provisions relating to the subject.

Councilmember Emery moved to approve the resolution with an amendment to Exhibit A changing the title of Charles W. Atkinson, Jr., from Assistant City Manager to Interim City Manager. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider a resolution identifying certain city officials with authority to open and maintain an account with said bank for the City of Missouri City Insurance Trust Fund; providing for repeal; and containing other provisions relating to the subject.

Councilmember Maroulis moved to approve the resolution with an amendment to Exhibit A changing the title of Charles W. Atkinson, Jr., from Assistant City Manager to Interim City Manager. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

**12. CITY COUNCIL ANNOUNCEMENTS**

Councilmember Sterling stated she drove through District A to look at areas for potential growth, challenges and needs. Councilmember Maroulis stated he met with Wide School; held a Clean-Up Day at the Edible Arbor Trail in partnership with Missouri City Green; and, noted Walmart also came to help. Councilmember Boney stated he attended the Black History Program and thanked staff for a successful event. Councilmember Edwards thanked the Parks Board, Director Mangum, Recreation Specialist Vickery, and Parks Caretaker Bradley for assisting in the Park Clean-Up event held on February 22. Councilmember Emery welcomed Interim City Manager Atkinson.

**13. ADJOURN**

The regular City Council meeting adjourned at 8:51 p.m.

Minutes PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

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Maria Jackson, City Secretary